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In re. Application No 09/396,530 .

Filed: 9/15/99

Title: Bowler's Aid

Group Art Unit: 3711

Examiner: W.M. Pierce

Attorney Docket 99-1001

Inventors: Randall A. Addington,  
et al..

To: The Assistant Commissioner Of Patents  
Washington, D.C. 20231

Declaration Under 37 CFR 132

1. I, W. Robert Addington, II, Doctor of Osteopathy, (D.O.) make this Declaration.

All of the statements made in this Declaration are made with respect to the patentability of Claim  
33-58

2 I say as a Board Certified Physician in Rehabilitation Medicine and an expert in musculo  
skeletal medicine. The invention, and the principles disclosed in this application, and the invention  
described in the claims of record, are comprised by the following representative descriptions of a,

finger pad shield including at least one fastener to hold said contact area in a fixed relationship  
with a finger pad; wherein a force produced in the release and lifting of the bowling ball, is spread over  
said contact area, and wherein,

the finger pad shield is substantially rigid to resist deformation from a force produced when a  
maximum natural force is applied through a finger hole of said bowling ball, to lift and rotate said  
bowling ball at its release, and to spread said force produced, over said contact area, and wherein,

said maximum natural force is in a range within the limit of muscular skeletal development, and  
wherein,

said finger pad shield is adapted to spread said force produced over said contact area,  
substantially uniformly.

3. The claimed invention may be summarized as a finger pad shield opposed to, in contact with  
the bowler's finger pad, and forming a contact area with the finger pad. In bowling, lift is applied to the  
ball at its release. This practice is well known to those in bowling as shown in the Shaffer patent

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BUSINESS DEVELOPMENT

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4,371,163. as applying a force through the finger tips, to the bowling ball finger holes and by that applied force, rotating the ball to apply spin to rotate the ball. It is this rotation and in particular a rotation about a vertical axis that improves removing the standing pins. Lift is applied to the bowling ball at its release of the ball

The force produced by the release of the ball (not "delivery" as stated by Examiner, as the proper term of art for those skilled in the art is "lift and 'release,'" and Examiner's choice of "delivery" to describe "release" and "lift" is mis-descriptive, indicating Examiner is not one skilled in the art of bowling), is within a defined range. That range is substantially from a minimum starting with a child capable of holding and bowling, a bowling ball, as would be known to those skilled in the art and a maximum substantially limited to a bowler within a maximum of muscular skeletal development bowling with ball as prescribed by conventional bowling conventions, for example the American Bowling Congress. While a stronger bowler at the upper end of the limit of muscular skeletal development, may prefer a heavier ball, the range of force applied from the bowling ball to the finger pad will be limited by the convention's maximum weight of a bowling ball and the maximum force which can be applied to the bowling ball within a known and recognized limit of muscular skeletal development, known and recognized by physicians Board Certified in Rehabilitation Medicine

4. The maximum of muscular skeletal development is determinable and objectively measurable inductively from knowledge of anatomy. The parts of the human anatomy which are used to properly release a bowling ball do have a maximum limit of muscular skeletal development. This statement is made from my personal knowledge and observations as practicing physician with Board Certifications in Physical Medicine and Rehabilitation and Electro-diagnostic Medicine.

5. All of the foregoing statements are made under knowledge of the punishments and penalties for perjury, under Title 18 of the Criminal Code of the United States of America.

W Robert Addington, II DO

Date: 1/14/03